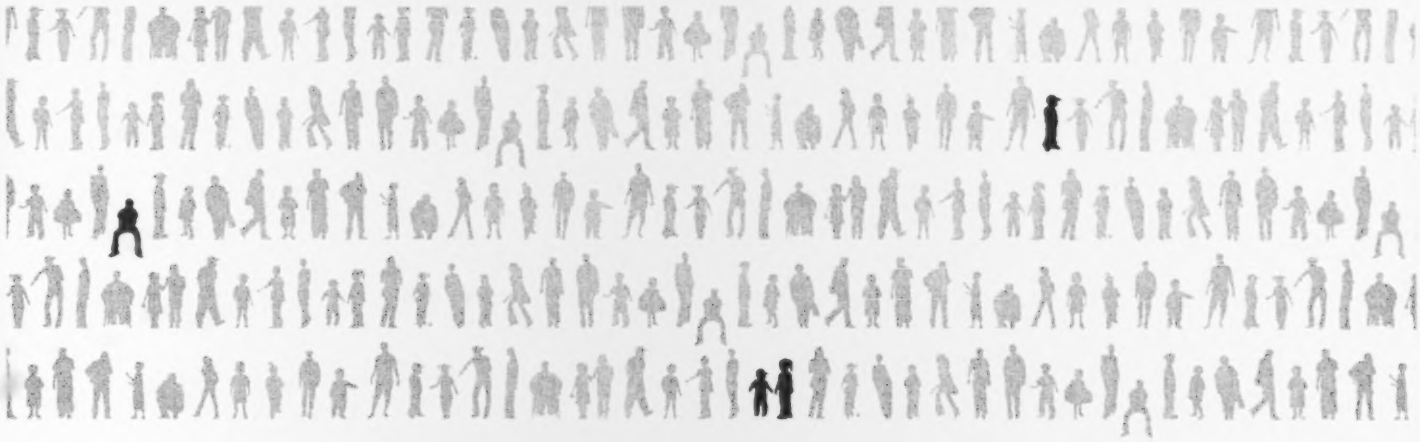
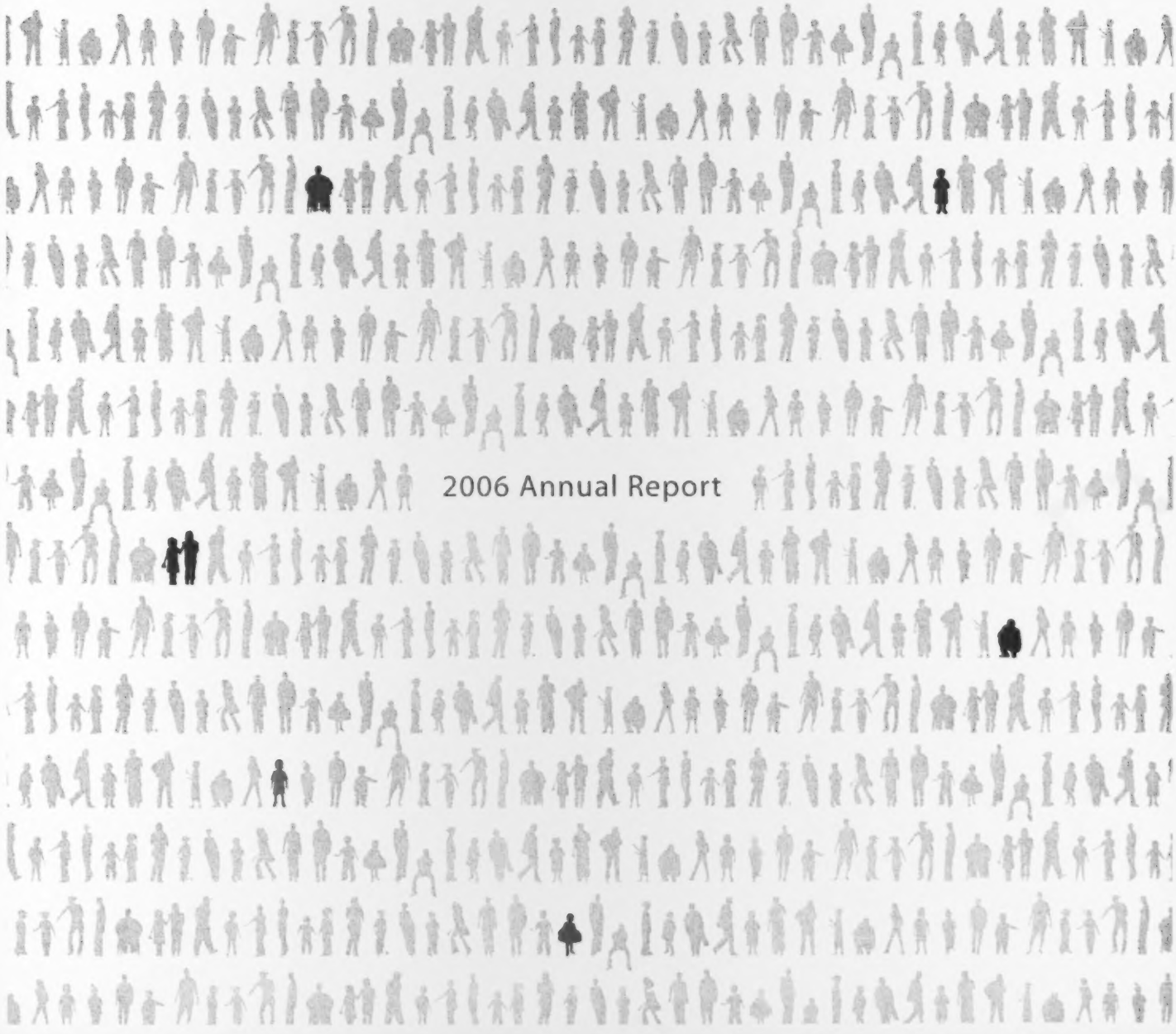


Children and Youth First . . . The Right Focus

Children's Advocate Office



2006 Annual Report

Letter of Transmittal

SASKATCHEWAN
children's advocate
OFFICE

A Voice for Youth

April 30, 2007

The Honourable P. Myron Kowalsky
Speaker of the Legislative Assembly
Province of Saskatchewan
Legislative Building
Regina, Saskatchewan

Dear Sir:

In accordance with *The Ombudsman and Children's Advocate Act*, it is my privilege to submit to you, and to the Members of the Legislative Assembly, my second Annual Report as Saskatchewan Children's Advocate.

Respectfully,

Marvin M. Bernstein

Marvin M. Bernstein, B.A., LL.B., LL.M.
Children's Advocate
Province of Saskatchewan

Children and Youth First . . . The Right Focus

"In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be the primary consideration."

(Article 3:1; The United Nations *Convention on the Rights of the Child*)

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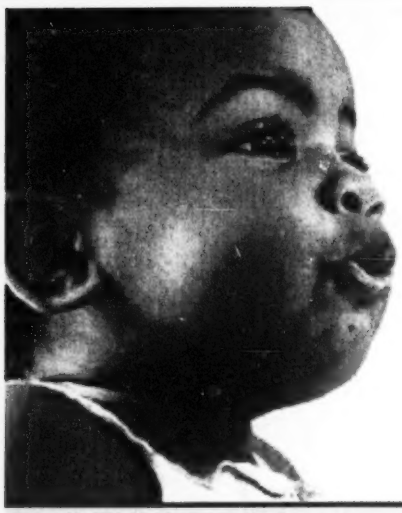


Children's Advocate Report

This past year has been a time of significant change for the Saskatchewan Children's Advocate Office (CAO) and I am very proud of the achievements of all CAO staff on behalf of the children and young persons of Saskatchewan.

Last year, after 12 years of focusing predominantly on establishing a foundation of effective advocacy services, the Children's Advocate Office undertook a substantial review of its operations and planning processes to better position its resources, programs and services. The operations planning review process, guided by an external consultant and an internal assessment process, assisted in developing a new operational plan for our Office that will build upon the excellent developmental work of the Children's Advocate Office in its early years. This new operational plan will allow our Office to enter its next phase with the necessary structure to fulfill its full legislative mandate, while addressing increasingly complex case-work and changing social and cultural environments that directly impact upon the well-being of children and families.

Two significant operational and service outcomes emerged from this operations planning review process. The first outcome was the repositioning of advocacy and investigation services, as specialized functions within our Office, requiring specialist staff expertise - with the ultimate objective of influencing systemic change in all aspects of our work. This restructuring took place on December 1, 2006, with the establishment of specialized advocacy and investigation units within the operations of our Office.

The second significant outcome was a commitment to attach greater priority to our Office's investigative capacity. This need was determined after examining increasing demands by concerned youth, family members, professionals, officials and members of the public for our Office to conduct various forms of investigations and to report publicly on those investigations. The investigation of the Oyate Safe House had a major impact on the CAO resources and underscored the need to prioritize the development of an investigations unit.

The new operational plan developed for the Children's Advocate Office, together with the many experiences of our Office, including the findings and recommendations of the Oyate Investigation and Systemic Reports[1], released in September, 2006, along with important violence against children and child welfare reports at the international and national levels in 2006, have influenced the development of an important philosophical direction for all our Office's operations, programs and services, which will be anchored by an enhanced *'Children and Youth First'* focus. This focus has led to the development of a set of CAO *'Children and Youth First'*

Principles, which are intended to define our Office's core beliefs in relation to the care and services provided to Saskatchewan children and youth.

It is my sincere hope that the significant changes we have made to our operational capacity in the Children's Advocate Office will go a long distance in enabling our Office to fulfill all elements of our legislative mandate – with a view to not only promoting the interests and well-being of children and youth in our communities and in government practice, policy and legislation, but also in ensuring that there is a *'Children and Youth First'* focus informing all of our actions and decisions.

'Children and Youth First' Focus

Saskatchewan's children and youth are our most precious resource and they are all entitled to an equal standard of care, services and support. The Children's Advocate Office articulates within its Vision Statement "that the interests and well-being of our children and youth are respected and valued in our communities, and in government practice, policy and legislation."

During 2006, the Children's Advocate Office continued to regularly communicate with numerous government departments and agencies, as well as other service providers supplying care and services to children and youth. Several agencies and service providers throughout the province manage and support our children and youth in a manner that consistently keeps their best interests and needs embedded in a *'Children and Youth First'* focus, when providing necessary care and service support. However, changing social and cultural environments not only impact on the level and standard of these services, but also have a significant and direct effect on the lives of our children and youth, especially those who are at risk of harm. These observations became more evident on a number of fronts during the past year.

Nationally, in 2006, there were a number of important lessons to learn from the findings of other provincial jurisdictions[2] where recent child deaths have led to greater scrutiny of government actions. Recommendations put forward called for greater funding to support comprehensive child death reviews and for the positioning of child death reviews within independent Children's Advocate Offices to examine key service intervention points in the child's life, and to make purposeful recommendations impacting government policy, practice and legislation in a manner that could potentially save the lives of children.

In 2005, the First Nations Child and Family Caring Society of Canada released a significant report recommending that a 'child first' principle for resolving jurisdictional disputes, related to First Nations children on reserve, be implemented without delay. This principle was termed 'Jordan's Principle' in memory of a four year-old First Nations child named Jordan, who was the victim of an inter-governmental jurisdictional conflict:

> *"In keeping with the United Nations Convention on the Rights of the Child, we recommend that a child first principle be adopted in the resolution of inter-governmental jurisdictional disputes. Under this procedure, the government (provincial or federal) that first receives a request to pay for services for a Status Indian child, where that service is available to other children, will pay for the service without delay or disruption. The paying party then has the option to refer the matter to a jurisdictional dispute resolution table. In this way the rights of the child come first whilst still allowing for the resolution of jurisdictional issues . . ."*[3]

It is clear that we need to find ways to avoid jurisdictional quagmires, and to cooperate and consolidate efforts directed at making service delivery systems seamless, irrespective of government sector, professional discipline or subject matter jurisdiction, in order to achieve a *'Children and Youth First'* focus. This is our best hope to ensure that future generations of our children will be supported, protected and well-served.

On the provincial front during 2006, our Office began receiving requests to monitor and investigate government services and programs for children and youth under various provincial statutes, including delegated services offered to children and youth by government-funded, community-based organizations. Investigations of this nature, such as the major investigation into the Oyate Safe House in Regina, produced important systemic recommendations that can contribute positively to the development of government policy, practice and legislation - and ultimately improve the quality of service delivery to large numbers of vulnerable children and youth in Saskatchewan. Within this report, the CAO identified the need to apply a 'holistic child' lens or a 'best interests of the child' lens before applying a 'family-oriented' or 'cultural' lens. In this context, the following observation from the Final Report of the Saskatchewan Commission of First Nations and Métis Peoples and Justice Reform clearly demonstrates the values of a *'Children and Youth First'* focus:

> *"The first step is to reframe the way public policy is developed. Public policy must put the needs of children and youth first and then be viewed through a First Nations and Métis 'lens'. Second, policy must be created that supports and strengthens family, in order for family to effectively participate in any prevention, reintegration or justice activity. Third, all governments must engage in long- term planning that takes into account the effect policy will have on children and youth."*[4]

The past year has demonstrated that in all aspects of child advocacy-whether advanced at a national or provincial level, as a society responsible for the well-being and best interests of all children, we require a paradigm shift rooted in changes in attitude, policy, practice and legislation. To this end, in order to do a better job of addressing the needs of children, especially to place the interests of *'Children and Youth First'* in Saskatchewan, the Children's Advocate Office has developed a set of Principles to establish a *'Children and Youth First'* focus. These *'Children and Youth First'* Principles are intended to address the need to integrate and enhance a 'children and youth-centred' focus within all aspects of service provision. They must ultimately permeate all aspects of government and societal activities and inform all our actions and decisions.

Explanatory Note

The CAO *'Children and Youth First'* Principles are meant to assist in defining the CAO *'Children and Youth First'* focus and are intended to build upon the current CAO Operational Principles. These principles reflect the core CAO beliefs that support a 'children and youth-centred' focus and are principles that the Office will advance in all aspects of its work with government departments and agencies, as well as with child and youth service sectors and care providers.

CAO 'Children and Youth First' principles

1) That **all** children and youth in Saskatchewan are entitled to those rights defined by the United Nations Convention on the Rights of the Child. [5]

2) That **all** children and youth in Saskatchewan are entitled to participate and be heard before any decision affecting them is made. [6]

3) That **all** children and youth in Saskatchewan are entitled to have their 'best interests' given paramount consideration in any action or decision involving them. [7]

4) That **all** children and youth in Saskatchewan are entitled to an equal standard of care, protection and services. [8]

5) That **all** children and youth in Saskatchewan are entitled to the highest standard of health and education possible in order to reach their fullest potential. [9]

6) That **all** children and youth in Saskatchewan are entitled to safety and protection from all forms of physical, emotional and sexual harm, while in the care of parents, governments, legal guardians or any person. [10]

7) That **all** children and youth in Saskatchewan are entitled to be treated as the primary client, and at the centre, of all child serving systems. [11]

8) That **all** children and youth in Saskatchewan are entitled to have consideration given to the importance of their unique life history and spiritual traditions and practices, in accordance with their stated views and preferences. [12]

The Children's Advocate Office will be developing a children and youth friendly version of these principles as part of our public education and youth engagement programs in 2007.

Throughout our Office's advocacy, investigation (including child death and critical injury reviews), research and public education work, we see several instances where the safety, protection and well-being of children are compromised in order to preserve the family unit at any cost. The CAO findings in the Oyate Safe House Investigation, as well as the advocacy and child death investigation themes and issues, and the case examples contained in this Annual Report, are but a few illustrations of the absence of a clearly articulated *'Children and Youth First'* vision for our governmental child-serving systems. For example, in the CAO Oyate Systemic Issues Report, we noted that the lack of a 'child first' focus within the Department of Community Resources was not unique to our Oyate Safe House Investigation, but that we had repeatedly observed this phenomenon – and its harmful effects – through our child death and critical injury investigations:

> *"Experience has indicated that decisive intervention into the lives of children in need of protection is often hampered by the emphasis placed on the autonomy of the family. Frequently, decisions appear to be made which give the interests and desires of parents an inappropriate priority over the best interests of their children. This parental autonomy approach can be deleterious at both the front-line and judicial levels and appears to have led, in the past, to government and judicial intervention, which can be described as 'too little, too late'... [T]he annals of child deaths and severe child injuries are a tragic and unacceptable legacy that has resulted from the imposition of a singular family-centred philosophy at the expense of the well-being and best interests of vulnerable and previously victimized children.*
>
> *... The CAO has reported on a number of incidents in its Child Death Reviews whereby the current family-centred philosophy, with an insufficient child focus, has had devastating and life limiting effects on children. In the view of the Children's Advocate, the loss of life of one child is too many – but we have seen too many deaths and critical injuries that reflect this harmful philosophy of reducing children to the status of 'family chattels' to be fought over.*
>
> *In its investigation into the Oyate Safe House, the CAO found a similar pattern of repeated return to abusive and harmful family environments that contributed to the current lifestyle of many of the children interviewed, leaving them with a view of hopelessness and despair.*
>
> *Often, decisions regarding the child are made in isolation, without the child or his/her input, with an underlying philosophy that values family reunification and cultural consideration over the needs, protection and well-being of the child in question. Unfortunately, the ultimate price is most often paid by the child. If the behaviour of the family, and therefore the living environment, has not changed – the cycle simply continues and becomes inter-generational in nature."*[13]

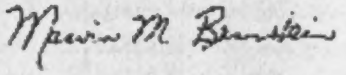
With this backdrop in mind, it is my view that current family-centred child welfare policy and legislation, combined with inconsistent child welfare practice and an uneven application of relevant policy to ***all*** children – particularly where jurisdictional and other collateral considerations negatively influence the equal entitlements of aboriginal children - often converge, resulting in a systemic failure to place Saskatchewan's *'Children and Youth First'*.

As well, in our Oyate Investigative and Systemic Reports, we have already documented our findings: 1) that the Department of Community Resources continues to set child welfare policy through its restrictive *'Family-Centred'* Services Policy and Procedures Manual; and 2) that Saskatchewan's *Child and Family Services Act* is out of step with most child protection statutes across the country, as well as Article 3(1) of the United Nations *Convention on the Rights of the Child*, in failing to recognize that the paramount consideration is the "best interests of the child."

Finally, Judge Thomas Gove, in his British Columbia "Report of the Gove Inquiry into Child Protection", emphasized the importance of reaching a consensus on fundamental principles that are child-centred and place children at the heart of the child welfare system (what we are now calling *'Children and Youth First'* Principles and which we believe ought to apply to all child-serving systems):

> *"The province needs to be clear that the child is the paramount client of the child welfare system. It needs to reflect this 'child-centredness' in legislation, training, policies, case supervision, case practice and advocacy. Doing so will demand that child welfare organizations act with undivided loyalty to the child, making choices based on what is best for the child. Such decisions might include assisting parents and other caregivers, when such assistance fosters the child's safety and well-being. Sometimes, it will mean removing the child.*
>
> *... To some extent, child welfare services must be based on social values that will vary among individuals and cultures, and over time. Nevertheless, examples such as the United Nations Convention on the Rights of the Child show that it is possible to reach a consensus on some fundamental principles.*
>
> *If the province does decide to 'place the child at the heart', and develop the child-centred system proposed by the Inquiry, then the province must ensure that child welfare services are universal, responsive, accountable and efficient."* [14]

Respectfully Submitted,



Marvin M. Bernstein, B.A., LL.B., LL.M.

Children's Advocate
Province of Saskatchewan

[1] Saskatchewan Children's Advocate Office, *Oyate Investigative Report* and *Beyond 'at Risk' Children: Systemic Issues Report regarding Sexually Exploited Children and the Oyate Safe House* (September 2006).

[2] See Hughes, Ted, *B.C. Children and Youth Review: An Independent Review of B.C.'s Child Protection System*, (April 7, 2006); and Schibler, B., Hardy, M. and Hamilton, I., *Strengthen the Commitment – An External Review of the [Manitoba] Child Welfare System*, (Winnipeg: September 29, 2006).

[3] *WEN:DE: We Are Coming To The Light of Day*. First Nations Child & Family Caring Society of Canada. 2005, at p.107 (available online at www.fnfcs.com/JordansPrinciple.html).

[4] Saskatchewan. *Final Report from the Saskatchewan Commission of First Nations and Métis Peoples and Justice Reform*, June 21, 2004, Volume 1, Chapter 8 (Children and Youth: Realizing Potential), at p. 8-32.

[5] United Nations, *Convention on the Rights of the Child*. (1989: Geneva). This is one of the Beliefs listed in the Saskatchewan's Action Plan for Children, Policy Framework, (1995). See also: Rae, J., *Indigenous Children: Rights and Reality: A Report on Indigenous Children and the U.N. Convention on the Rights of the Child*, (UN Sub-Group on Indigenous Children and Youth), University of Toronto: 2006, at p.7, where it is stated that "the concept of 'children's rights' in the UN *CRC* resonates deeply with many Indigenous peoples today as comparable to, or at least compatible with, their own concepts of human dignity and childhood." The *Convention* is legally binding at the international level and governments must take their obligations seriously to implement it in domestic practice, policy and legislation. In the absence of a clear conflict with domestic legislation, the UN *CRC* should be used as a contextual tool for statutory interpretation. For instance, in *Baker v. Canada*, [1999] 2 S.C.R. 817 and *Winnipeg Child and Family Services v. K.L.W.*, [2000] 2 S.C.R. 519, the Supreme Court of Canada applied the

presumption that an interpretation favoured by the *Convention* should be followed in domestic law. See also: Yoles, V., *The UNCRC: A Practical Guide for its Use in Canadian Courts* (Toronto: UNICEF Canada, 1998).

[6] This principle is consistent with Article 12(1) the United Nations *Convention on the Rights of the Child*, which provides that "States Parties shall assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child." The African expression "Say Nothing about Me Without Me" embodies this principle.

[7] This principle is consistent with Article 3(1) of the United Nations *Convention on the Rights of the Child*, which states that "In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration." See also: Saskatchewan's Action Plan for Children, Policy Framework, refinement of one of the Principles listed. The 'best interests' of the child should take precedence over any jurisdictional or political considerations: *supra*, note 4, Statement of Jordan's Principle

[8] This principle is consistent with Article 2(1) of the United Nations *Convention on the Rights of the Child*, which provides that "States Parties shall respect and ensure the rights set forth in the present Convention to each child within their jurisdiction without discrimination of any kind, irrespective of the child's or his or her parent's or legal guardian's race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status." This means that the minimum child protection bar under provincial child protection legislation is a constant and does not shift between different groups of children.

[9] This principle is consistent with Articles 24-29 of the United Nations *Convention on the Rights of the Child*.

[10] This principle is consistent with Article 19 of the United Nations *Convention on the Rights of the Child*, which provides that "States Parties shall take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect, or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has the care of the child."

[11] This principle is consistent with Article 3(1) of the United Nations *Convention on the Rights of the Child, supra*, note 9. See Gove, Thomas (Judge), *British Columbia Report of the Gove Inquiry into Child Protection*, Volume 2, (Matthew's Legacy), (Ministry of Social Services, 1995) at pp. 245, 246, where he states that "the Province needs to be clear that the child is the paramount client of the child welfare system" and emphasizes the importance of "child-centredness" and placing the child "at the heart of" the child welfare system. See also Hatton, Mary Jane (Madam Justice), *Report of the Panel of Experts on Child Protection*, (Toronto: Ontario Ministry of Community and Social Services 1998), where it was determined that the pendulum had swung too far in favour of parental rights, with the necessary child-focus being sacrificed in the process. See further: Bernstein, M., Regehr, C. and Kanani, K., *Liability for Child Welfare Workers: Weighing the Risks in Bala*, N. et al. (Eds.), Canadian Child Welfare Law: Children, Families and the State, 2nd ed. (Toronto: Thompson Education Publishing, Inc. 2004) at p. 405, where reference is made to the Jordan Heikamp Inquest – both to the finding of the Ontario Coroner's Jury that the child protection worker's focus in the case "was primarily on the mother and not on the child" and to the Jury's recommendation that "It should be made clear to all Child Protection Workers and their Child Protection Supervisors that their client is the child in need of protection, not the parent or the family." This will mean that in the event of a conflict between the best interests of a child and the interests of other family members, it is the best interests of the child that are paramount.

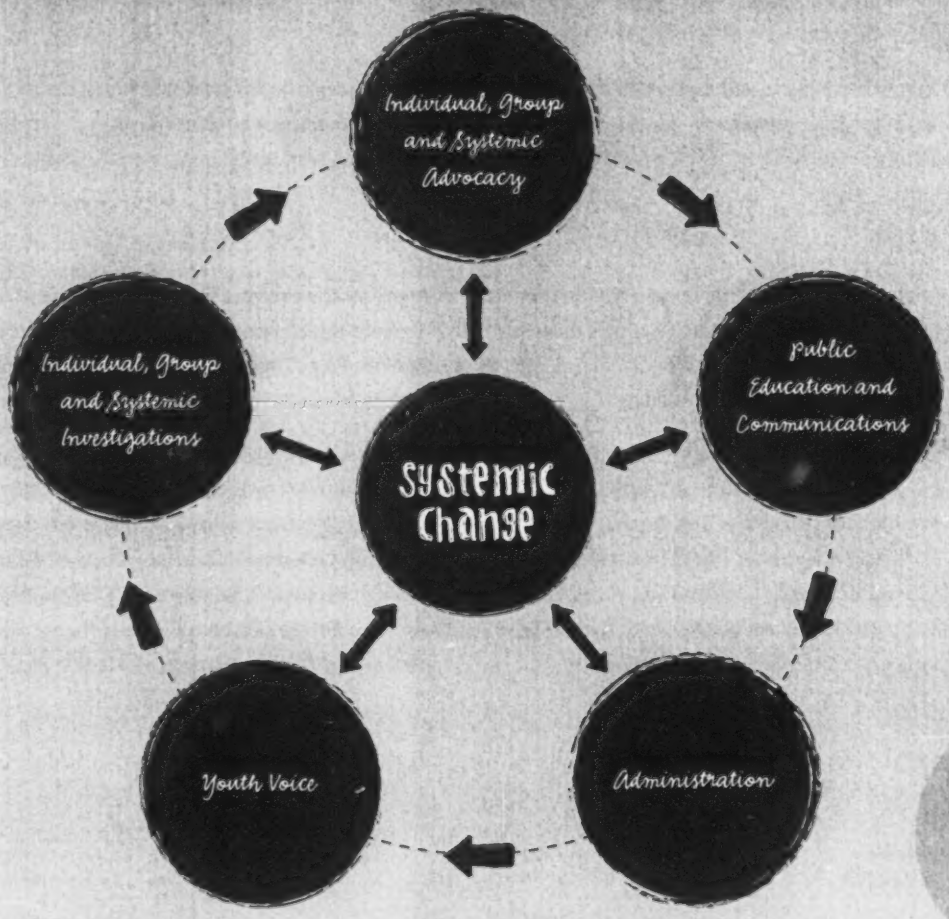
[12] This principle is consistent with Article 30 of the United Nations *Convention on the Rights of the Child*, which provides that "In those states in which ethnic, religious or linguistic minorities or persons of indigenous origin exist, a child belonging to such a minority or who is indigenous shall not be denied the right, in community with other members of his or her group, to enjoy his or her own culture, to profess and practice his or her own religion, or to use his or her own language." See also: supra, note 1, especially *Oyate Beyond 'at Risk' Systemic Issues Report*. Draft United Nations *Declaration on the Rights of Indigenous Peoples*, Resolution 1994/45, (approved by the United Nations Human Rights Council, June 2006, but not yet passed by the General Assembly), Preamble, where it is stated, among other things, that "Recognizing the urgent need to respect and promote the rights and characteristics of indigenous peoples . . . which derive from their cultures, spiritual traditions, histories and philosophies . . ."

[13] *Supra*, see note 1, at pp. 34, 35.

[14] *Supra*, see note 13, at p. 245-246, 247.

Operations Model

The following operational chart demonstrates the interrelationship of each of the priority areas of the Children's Advocate Office. This new Operations Model, implemented in December 2006, repositions advocacy and investigation services as specialized functions within our Office and highlights the commitment that the organization has to the central activity of Systemic Change. All operational and administrative functions of the CAO contribute to the advancement of Systemic Change.



CAO Vision, Mandate and Goals

CAO Vision Statement

Our vision is that the interests and well-being of children and youth are respected and valued in our communities and in government practice, policy and legislation.

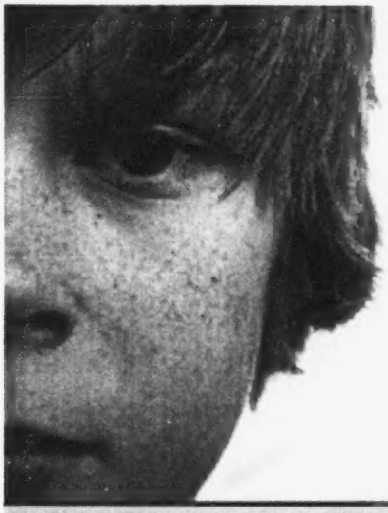
Mandate

The Children's Advocate has the authority to promote the interests of, and act as a voice for, children and young persons who have concerns about provincial government services. The Children's Advocate engages in public education, works to resolve disputes, and conducts independent investigations. The Children's Advocate also recommends improvements of programs for children to the government and/or the Legislative Assembly.

Goals

The CAO has identified five overarching goals for the organization that represent its vision and mandate. The goals outline the types of activities that the Office will undertake in order to promote the protection of the rights of children and youth, and ensure they receive the level of service they need and are entitled to from the Government of Saskatchewan. CAO goals guide the direction that the organization takes in its relationship with children and youth, government departments, delegated agencies and the public at large. These goals are to:

- *Advocate for the interests and well-being of children;*
- *Promote public accountability through comprehensive investigations;*
- *Educate people on the interests and well-being of children;*
- *Effect systemic change to promote the interests and well-being of children; and*
- *Provide high-quality service.*



Public Education

Public Education and Communications

During 2006, the Children's Advocate Office (CAO) produced and presented a number of special reports and submissions to the Saskatchewan Legislative Assembly, and the public. This is in keeping with our commitment to public education and communications by reporting findings, conclusions and recommendations resulting from investigations and advocacy conducted by our Office. Additionally, the CAO prepared various submissions to accredited committees and bodies in relation to children's advocacy, policy, practice and legislation. The following is a summary of CAO reports and submissions presented during 2006.

The Youth Drug Detoxification and Stabilization Act Special Report

On April 25, 2006, the Children's Advocate tabled a Special Report to the Saskatchewan Legislative Assembly on *The Youth Drug Detoxification and Stabilization Act (YDDSA)*. The Report set out 12 recommendations including proposed amendments to the *YDDSA* for the purpose of ensuring that the rights of children and young people are sufficiently respected and protected whenever serious and intrusive decisions, including potential involuntary confinement, are being made about them.

Oyate Safe House

On September 14, 2006, the Children's Advocate tabled two public reports following the CAO investigation into the Oyate Safe House for sexually exploited children in Regina. The first, entitled "Investigative Report of the Oyate ataya WaKanyeja OwicaKiyapi Inc., (Oyate) Safe House," dealt directly with the specific operations and services of Oyate; the second report, entitled "Beyond 'at Risk' Children," moved the focus to a series of recommendations that addressed the broader issue of sexual exploitation of children in Saskatchewan and the need to advance a *'Children and Youth First'* focus related to all legislation, practice and policy of governments.

The two Oyate investigative reports heightened public awareness of the effects and impacts on children of government services and partnerships related to the operations of children- in-care facilities, the seriousness of the sexual exploitation issue, and the investigative and reporting responsibilities and capabilities of the CAO. The issues outlined within the reports received extensive media coverage, and appear to have generated a public expectation that the CAO will continue to monitor and publicly report on the actions taken by the

Department of Community Resources (DCR) related to its children-in-care services, including outcomes of the recommendations made to the DCR from the investigation into the Oyate Safe House.

UN Committee on the Rights of the Child

On September 15, 2006, the CAO's written submission to the United Nations Committee on the Rights of the Child was formally considered in Geneva, Switzerland on the Committee's General Day of Discussion in relation to Article 12 of the United Nations *Convention on the Rights of the Child*. The CAO submission to the Committee, entitled "Saskatchewan Children's Right to Participate and be Heard in Child Welfare Proceedings," advanced our concern with respect to the legislative impediments set out in *The Child and Family Services Act (CFSA)*, which frustrate the ability of Saskatchewan's children and youth to enjoy meaningful participation in child welfare proceedings. In addition, the submission identified the need to amend the legislation to confer party status upon children involved in such proceedings, and to establish a clear legislative framework to allow judges at all court levels to consider appointing legal counsel for children.

Standing Senate Committee on Human Rights

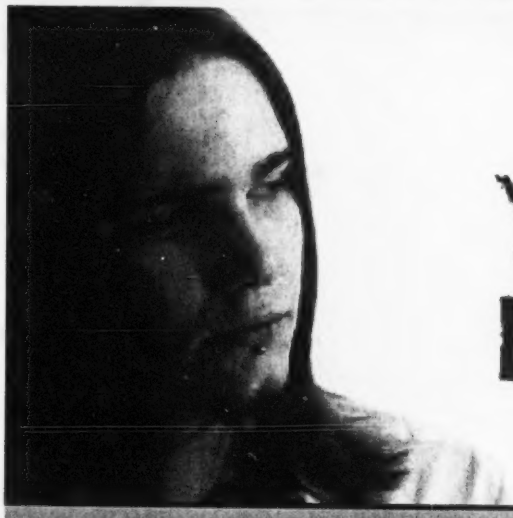
On September 19, 2006, the Children's Advocate and Deputy Children's Advocate presented a brief to the Standing Senate Committee on Human Rights concerning Canada's international obligations to protect and advance the rights and freedoms of children. Entitled "Child First: The *Right* Focus," the brief presented three key themes: (1) Children must come first and must be protected from all forms of harm and violence, including the need for the federal government to move expeditiously to repeal Section 43 of *The Criminal Code of Canada* which allows all forms of corporal punishment; (2) Children's rights must be entrenched in the laws of our country - Provinces and Territories must incorporate and apply the principles of the United Nations *Convention on the Rights of the Child (UN CRC)* in legislation, policy and practice; and (3) A Children's Commissioner to be appointed at the federal level to oversee the federal provision of services to children, and at the same time, Canada must actively encourage the Provinces and Territories to appoint independent Children's Advocates within their respective jurisdictions.

CAO Perspectives - The Youth Drug Detoxification and Stabilization Act

CAO Perspectives is issued periodically as a public education tool to engage public discussion and provide governments with background information and recommendations concerning specific issues affecting Saskatchewan children and youth.

On October 19, 2006, a *CAO Perspectives* on *The Youth Drug Detoxification and Stabilization Act (YDDSA)* entitled "Addictions and Secure Care: Asking the Right Questions," was released. This document was issued in conjunction with a televised, province-wide health program on the Saskatchewan Communications Network (SCN) dealing with this subject, and where the Children's Advocate appeared as a member of an in-studio panel. The *CAO Perspectives* addressed the issues and recommendations outlined in the Special Report on the YDDSA, tabled on April 25, 2006.

Copies of all Special Reports and CAO Perspectives are available online at the CAO website: www.saskcao.ca or by contacting the Office at 306-933-6700.



Youth Engagement

A Voice for Youth

The Children's Advocate Office (CAO) is mandated to be a voice for youth and to work and assist youth with their needs in dealing with government and non- government departments and agencies.

> *Youth Engagement is the meaningful and sustained involvement of a young person in an activity, focusing outside the self. (Centre of Excellence for Youth Engagement, 2005)*

CAO Goals for Youth Engagement

The CAO is committed to providing opportunities for meaningful youth participation and skill-building. In 2006, the goals for the youth participation/voice projects at the CAO continued to provide opportunities for Saskatchewan young people to:

- *Say what they think*
- *Participate in issues that affect them*
- *Build skills so that youth can actively participate in their communities*
- *Learn to become effective self-advocates*

CAO Youth Initiatives

Increasingly, young people want a say (voice) in matters that affect them. Article 12 of the United Nations *Convention of Rights of the Child*, expresses that youth should be free to voice their opinions and to assert their views on matters that affect them.

In 2006, the CAO hired youth staff to again facilitate the voice of youth in decisions being made about services provided to them by government departments and agencies. Additionally, the youth staff delivered rights education to elementary schoolchildren across the province through various presentations and workshops.

The CAO continues to work collaboratively with youth-driven organizations; particularly the Saskatchewan Youth in Care and Custody Network (SYICCN), the Communities for Children, Youth Launch, and "Taking It Global."

CAO Director of Advocacy, John Brand, is an adult support to the SYICCN and Ms. Darlene Domshy, Executive Director of the SYICCN, is a youth member on the CAO's Child Death Multi-Disciplinary Review Team. Glenda Cooney, Deputy Children's Advocate, represented the CAO in "Taking It Global," a national youth initiative run by youth for youth, on November 20, 2006 - National Child's Day. Ms. Cooney was the guest facilitator for the national discussion on youth rights.

The CAO is also represented on the Faculty of Social Work Advisory Committee to promote youth voice and rights. As part of our commitment to young people, the Office provides supervision to social work students, who are involved in practicum work at the CAO. Students are also hired to engage in research and other special projects for the Office.

In an attempt to ensure the CAO is being guided by the voice of young people, the Office has embraced a number of strategies over the years, to dialogue on issues of importance to youth. These strategies included youth delegations and conferences, focus groups and web casts, all of which have provided forums for the voice and opinions of youth to be engaged and heard.

The CAO is committed to providing children and youth with the opportunity to participate in the identification, research and development of final recommendations made with regard to all systemic issues. Systemic youth engagement includes youth focus groups or dialogues with young persons on issues and topics under review by the CAO.

Addictions, secure care, bullying, and the sexual exploitation of children are topics where young persons have been engaged. The CAO continues to partner with a number of existing youth organizations and networks to engage youth on a variety of issues concerning them, as part of this process.

Rights Advocacy Project (RAP)

The Rights Advocacy Project (RAP), a public education project, was launched by the CAO in November 2004 and continued through 2006. This is an interactive workshop for children and youth aged 8 to 14, educating them about rights and responsibilities, the United Nations *Convention on the Rights of the Child* and also providing them with the advocacy skills needed to advocate for themselves and others.

Due to the positive response received from the schools and students, in 2005 the decision was made to continue the RAP school program into 2006. Katrina Kindrachuk, the CAO Youth RAP Coordinator, presented workshops from January until May 2006. During this time, 42 presentations were given to 787 students and 66 teachers at 18 schools throughout the province. These schools were located in seven communities: Saskatoon, Regina, North Battleford, Prince Albert, La Ronge, Duck Lake and Leask. Of the 782 students who provided feedback, 82% said they enjoyed participating in the workshop and 88% said they learned something new that would benefit them. Some of the feedback obtained from the school RAP program includes comments from students and teachers.

Student comments from the RAP presentations:

"I have learned that I am my own private advocate."
Boy, age 14

"I learned that the best advocate for you is yourself."
Boy, age 11

"I learned that children have a voice too and they can stand out." *Girl, age 11*

"I learned that every kid has problems and there are ways to solve all of them" *Girl, age 14*

Teacher participants also stated that the RAP:

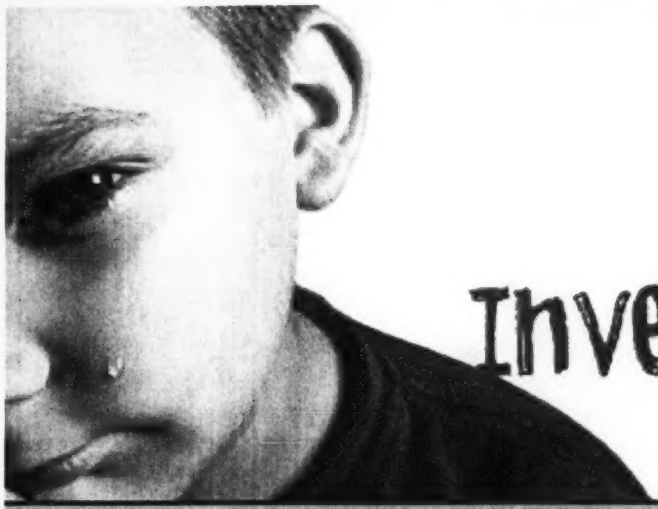
"...provides crucial, critical and timely information."

"...was very useful. The kids found it interesting. The information given is important for kids to know."

"I liked how the 'answers' were pulled from the students experiences. The presenter was energetic and positive."

The RAP is a successful program and it is the intention of the CAO to develop partners within the community who are interested in continuing the project. Suggestions include training youth to deliver the workshop to other youth, creating a variation of the workshop for younger students (Grades 4 to 7), and making the workshop available online so that teachers can access the materials and present them to students.

To date, there have been discussions with community-based youth groups, as well as the Department of Learning, on the potential for the RAP program to be offered in Saskatchewan communities and through the schools. Discussions will continue in 2007.



Investigations

Authority

The Children's Advocate reviews and investigates any matter that comes to his attention from any source, including a child, concerning services to a child or to a group of children by any department or agency of the government.[15] As well, the Children's Advocate is obligated to investigate any matter upon referrals made either by a Committee of the Legislative Assembly or by the Lieutenant Governor in Council.[16]

These legislative provisions under *The Ombudsman and Children's Advocate Act* allow the Children's Advocate to offer several types of investigations to assist the children and youth. These investigations can be initiated by children/youth themselves, or any member of the general public. These include:

1) *Investigations of child deaths;*

2) *Investigations of critical injuries;*

3) *Investigations into matters of fairness;*

4) *Investigations into program and service performance; and*

5) *Mandatory investigations subsequent to referral by the Legislative Assembly Committee or Lieutenant-Governor in Council.*

Purpose

The fundamental purposes of all investigations are:

1) *To recommend changes to government policy, practice or legislation that will prevent future harm to children;*

2) *To improve the quality of services being provided by child protection and other child-serving systems; and*

3) *To promote greater public accountability.*

The CAO meets its legislative mandate through an enhancement of the following services:

New Specialized Investigations Unit

On December 1, 2006, a specialized investigations unit was created. The CAO intends to continue to investigate a number of child deaths and critical injuries, and expand its services to include investigations into matters of fairness, and program and service investigations, as resources permit. Referrals from either the Lieutenant Governor or a Committee of the Legislative Assembly can also be investigated. In addition, this enhanced investigative agenda creates an additional commitment to track, monitor, and publicly report on the implementation of recommendations that result from such investigations.

Child Death Reviews

The 2005 Annual Report identified concerns that have been raised in other provincial jurisdictions regarding the adequacy of scrutiny of child deaths. In 2006, a number of reports from – Newfoundland and Labrador[17] to British Columbia[18] - were released. These reports were highly critical of the lack of due diligence paid by various governments to child deaths, which resulted in a loss of public confidence in their respective commitment to children. The Hughes Report, from British Columbia, identified painful opportunities for a 'second look' into the consequences of failing to attend to child deaths, particularly where child welfare services are involved. It also recommended that a new independent office be established in British Columbia in 2007, with a mandate to review the injuries and deaths of children receiving government services not dissimilar to the mandate of the Saskatchewan Children's Advocate Office. In Manitoba, following a review of the child welfare system and a Child Death Review, it was recommended that a new Child Death Review[19] investigations unit be placed within its independent Children's Advocate Office.

During the past ten years, the Children's Advocate Office has undertaken several approaches to the review of child deaths. Initially, in 1997, the CAO agreed to review only those deaths that were identified by the government as in need of an external review. Following the investigation into the death of Karen Rose Quill, the CAO and the Department of Social Services (now the Department of Community Resources) agreed that the deaths of all children who were receiving services at the time of their death, or who had received services within the preceding 12 months of their death, would be investigated by the CAO.

In 2003, the decision was made to rely on the Department of Community Resources and Employment, now Department of Community Resources (DCR), and the Department of Corrections and Public Safety (CPS) to conduct internal service delivery reviews in the majority of child deaths. This decision was made with the

understanding that DCR and CPS would enhance the quality and timeliness of their investigations and also that the outcomes would be reported publicly. The CAO would monitor and review this decision over time.

Also in 2003, the CAO made the Child Death Review Recommendation (CDR) 63 (99) "that government develops a model to ensure all child deaths are reviewed by an 'educated eye' and that this model begins to be implemented by January 01, 2005." While a model is not yet in place, government struck a study committee to respond to this recommendation. However, it is apparent that an aggregate review alone, while critical to the overall health and well-being of Saskatchewan children, will not provide the degree of specialized system investigation that is required to prevent deaths and improve government services to 'at risk' children.

Last year, upon subsequent examination and assessment, the CAO determined that child deaths were not always being reviewed by government departments and agencies with the rigor and critical eye that these children deserved. CAO findings indicated that the reviews were consistently not being completed in a timely manner; the CAO was waiting up to three years to receive the departmental internal Child Death Review reports which often stale-date potential recommendations; and the results and findings from the reviews were not being publicly reported. The CAO further recognized that it was reviewing primarily the deaths of children in care who were "medically fragile," most often dying of natural causes, rather than focusing on child deaths that were preventable.

Our analysis of the situation was that the deaths of children who were in care, or who had received government services within the last 12 months of life, at a minimum, were deserving of a review by an independent external reviewer. Internal service delivery reviews are often limited by bias and lack the objectivity vital to providing the degree of scrutiny that these deaths deserve. The lack of timely, critical analysis and accountability in Child Death Reviews, coupled with the national awareness of the need to have an external independent review of child deaths where the government is involved in the provision of services, especially child protection services, resulted in the CAO's decision to enhance its investigative services.

New Criteria

The CAO advised government and child-serving systems of our intention to expand the criteria of child deaths to be referred for investigation in 2007. The most significant change is to revert back to reviewing those child deaths that occur within 12 months of the child having been in care or having received government services. The CAO further requested referrals on critical injuries that occur within the same timeframe.

The change in referral criteria is necessary to meet the current best practice methodology, which is to review those child deaths and critical injuries where services were being provided, or had been provided, in the preceding 12 months. Although this change is expected to increase the intake of cases that the Office will be examining in 2007, it will also serve to restore value to the process. When the CAO was operating on the basis of these criteria in the past, the value of its Child Death Reviews was recognized across the country and these reviews were instrumental in achieving the core objectives of:

1) *Preventing future child deaths and injuries;*
2) *Improving the quality and capacity of child protection services and other child-serving systems to provide safe and effective services to children; and*
3) *Increasing public accountability.*

The Children's Advocate Office is distinctive in using a multi-disciplinary investigative approach through the mechanism of an expert Multi-Disciplinary Child Death Review Advisory Committee that reaches beyond the child welfare system. This advisory committee is comprised of medical, legal, law enforcement, justice and social work professionals who are leaders within their areas of expertise. The committee also includes the Chief Medical Coroner and Chief Pathologist for Saskatchewan. A complete list of the Members of the Advisory Committee is listed at the back of this report.

Child Deaths since 2005

The CAO has completed 11 Child Death Reviews since the *Children's Advocate Report, A Summary of Child Death Reviews for the Years 2000 and 2001*, published in March 2005. Of the 11 children, seven were in care of the Minister of Community Resources at the time of their death and four were living with their biological families. There were a number of concerns and issues raised in previous reports that were also found in these reviews, including: placement concerns; non-compliance with policy; inadequate assessment and intervention; lack of information sharing; exposure to violence; and children born to substance- abusing mothers.

In the investigation of the seven children in care, placement concerns were identified in four of the foster homes. These concerns included overcrowding of homes where children were placed and concerns about appropriate levels of care and safety within those homes.

In nine of the 11 investigations, services provided by government departments/agencies were not in compliance with existing policy. In two investigations, however, services were found to meet or exceed the services to which the child was entitled. Compliance with policy has been identified as an issue since the CAO began reporting on child deaths in 1999. Adherence to policy ensures that children and their families receive the services to which they are entitled. Although the numbers reviewed are small, this finding indicates that the departments and agencies of government have further work to do in order to comply with the policy and legislation that directs the services they provide.

Assessment and intervention concerns were identified in seven of the eleven reviews. This issue has also been reported on since 1999, and relates to inadequate assessment of the health, safety and well-being of children by various child-serving systems. Concerns regarding protection assessments and lack of intervention by child welfare workers were also raised. These reviews highlight the fact that some children are being allowed to reside in environments where ongoing protection concerns are not addressed and the children remain at risk.

Six of the 11 investigations found a lack of information sharing between child-serving systems, indicating a need for improved communication and collaboration between the systems. Lack of integrated case management, also raised in previous reports, was found in two of the 11 reviews, and indicates a need for enhanced communication between professionals who provide services to children.

'Children who die at the hands of their caregivers' and those 'living with violence' were issues raised in the 2001 *A Summary of Child Death Reviews*. Two of the children in the current reviews died of violence at the hands of their caregivers – one in their familial home and the other in a kinship care foster home – while six of the 11 children lived in homes marked by family violence. There continues to be a need to protect Saskatchewan children from violence; particularly, family violence.

An emerging issue found in the investigations into Child Death Reviews and in advocacy files, relates to the needs of children born to substance-abusing mothers. Six of the 11 children were born to substance-abusing mothers, and these children often have significant long-term health issues and are medically fragile.

The Coroner's Branch, Department of Justice – responsible for the classification of deaths – classified five of the 11 child deaths as *Natural* deaths; these were all children living in foster care due to their biological parent's inability to manage their medical needs. Two were *Accidental* deaths due to drug overdoses in familial homes; one was a toddler and the other a 13- year-old. Two were *Homicide* deaths, both toddlers; one in their familial home and the second in a kinship care foster home. One death was a youth who died by *Suicide* and one death remains classified as *Undetermined*.

These Child Death Review investigations resulted in two referrals to the College of Physicians and Surgeons regarding medical treatment concerns, and nine recommendations to government departments and agencies. The recommendations and their responses will be reported publicly in the CAO Progress Report expected in the fall of 2007.

Saskatchewan has the second-highest provincial infant mortality rate in Canada, excluding the Territories, and the number of child deaths in this Province has been increasing. The latest Canadian statistics provided by Statistics Canada,[20] for the year 2004, indicate that Saskatchewan's infant mortality rate is 6.2. This compares to the overall Canadian infant mortality rate of 5.3. In Western Canada, it compares to Alberta with an infant mortality rate of 5.8, and to British Columbia with an infant mortality rate of 4.3. Only Manitoba, with an infant mortality rate of 7.0, is higher. (Note: The infant mortality rate is calculated as the number of deaths of children less than one year of age per 1,000 live births).

These statistical trends only serve to reinforce the value of the child death and critical injury investigative work being done by the CAO. The following chart illustrates, within age groups, the total deaths of children and youth, from birth to 21 years of age, residing in Saskatchewan from 2000 to 2005.

Year	Age Group						
	Less than One Year	1 - 5 years	6 - 11 years	12 - 15 years	16 - 17 years	18 - 21 years	Birth to 21 years
	Total Deaths						
2000	71	28	18	21	17	51	206
2001	67	20	8	20	17	59	191
2002	60	19	14	25	22	45	185
2003	69	17	16	12	20	63	197
2004	71	15	11	19	23	49	188
2005	93	24	8	12	21	70	228
Total	431	123	75	109	120	337	1195

Source of data is Saskatchewan Vital Statistics Funding Files and includes deaths of Saskatchewan residents, aged 21 and under, occurring in Saskatchewan. Deaths of Saskatchewan residents occurring in other provinces are not included. Deaths of non-Saskatchewan residents occurring in Saskatchewan are not included.

Critical Injury

There is both the demand and the need to investigate the critical injuries of children sustained while in care, or within 12 months of having received government services. The CAO has completed two critical injury investigations in the past calendar year, the first since our Office's involvement in the "Baby Andy" case. Critical injuries, like child deaths, can occur while a child is in care, or at home, or in the community. They can occur when a child is left at home with or without supervision, without being admitted to care, or has been returned home after having resided in care for a period of time. The sad and horrifying fact is that often the only difference between a child death and a critical injury is "the force of the blow."

Currently, our working definition of 'critical injury' is "a situation that necessitates a child's hospitalization and major medical treatment." Discussions with the referral departments and agencies in 2007 will establish an agreed-upon operational definition of critical injury.

Children with critical injuries (which are preventable), are often left to endure physical, mental and psychological trauma from preventable injuries, while requiring government care for the rest of their lives. As well, these children may require ongoing advocacy from the CAO to address their long-term needs for various government services. Since these critically injured children are often victims of crime, or acts of abuse or neglect, there may also be legal interests that need to be advocated as well. In all, there is an enormous societal cost when preventable critical injuries occur to children.

Fairness

Just as adults can seek fairness investigations from the Provincial Ombudsman, it is our belief that children and young persons ought to have the same right where there are policy, practice and legislation concerns. This is an area of investigations referred to as "fairness," and is an area that the CAO will be dedicating resources to in 2007. Generally, a fairness matter will arise where the decision, action, or omission of government falls into one or more of the following categories: it is unreasonable; contrary to law; oppressive; improperly discriminatory; is based on a mistake of law or fact; or is wrong.

Essentially, a "fair process" requires that: 1) the person affected is aware that a decision will be made; 2) the person affected is aware of the information that will be considered when the decision is made; 3) the person affected is given an opportunity to provide his/her own information and challenge the information in the decision-maker's hands; 4) the decision-maker considers all relevant information and nothing irrelevant when making the decision; 5) the decision-maker is unbiased; and 6) the person is notified and provided with reasons for the decision. The requirements of a fair process are fluid and will depend on the nature, impact and complexity of the decision.

Program and Service Investigations

A fourth area of investigations is "program and service" investigations. In 2006, the CAO began receiving requests to monitor and investigate government programs and services for children and youth under various provincial statutes, including delegated services and services offered by government-funded, community-based organizations. These investigations fall within the Office's jurisdiction because they relate to services provided to groups of children. Investigations of this nature include the recent Oyate Safe House investigation in Regina.

These investigations have the capacity to yield important systemic recommendations that can impact positively upon government policy, practice and legislation. This will ultimately improve the quality of service delivery to large numbers of vulnerable children and youth in Saskatchewan.

In the past, the CAO referred these issues back to the originating department or agency for review and often waited up to three years for a response. While waiting for the internal review, no significant changes were made to the program or service. This can potentially place children in various facilities at risk, as unchanged services and programming continue to be provided under an existing operating structure. As well, the lack of impartiality and objectivity can be a problem when government is left to examine and scrutinize its own operations, thereby eroding public confidence in any findings and recommendations resulting from this internal review process.

Mandatory Investigations

A final area of potential involvement by the CAO is in the area of mandatory investigations subsequent to Legislative Assembly Committee or Lieutenant-Governor in Council referral. Under section 12.61 of *The Ombudsman and Children's Advocate Act*, a Committee of the Legislative Assembly or the Lieutenant-Governor in Council "may, at any time refer to the Children's Advocate for review, investigation and report any . . . matter relating to the interests and well-being of children" that is properly before them for consideration. Where such a referral takes place, which has not occurred to date, the CAO must conduct the review or investigation, provided that it falls within its jurisdiction. Unlike all other referrals where the Office has the discretion to decline the request for investigation, this does not apply in this case. This is an area that the CAO believes should be given more consideration. It would encourage all political parties and governments to consider making such referrals to the Office, while allowing sufficient flexibility for negotiated terms of reference and an appropriate special funding allocation. Additionally, it would reduce the number of situations where government allows its own staff or its agents to conduct potentially self-interested reviews and investigations that discourage public confidence in the process and detract from the credibility of the outcomes.

All investigations undertaken by the CAO have the potential of generating findings and recommendations that are important and appropriate for making change on an individual basis. The Hughes Report in British Columbia made the point that it is the examination of aggregate information and the identification of trends that will inform improvements to the child-serving systems and improve public policy. The CAO seeks to effect systemic change through the public reporting of findings and recommendations and the analysis of themes and trends that are intended to prevent child deaths, child injury and acts of unfairness, as well as to improve services and public policy.

Recommendations Tracking

In accordance with *The Ombudsman and Children's Advocate Act*, the Children's Advocate can "advise any minister responsible for services to children on any matter relating to the interests and well-being of children who receive services from any department or agency of the government." As such, the Children's Advocate forwards recommendations to:

- *Promote and advocate for changes to government practice, policy or legislation respecting the interests and well-being of children;*

- *Advocate for improvements to government planning and decision-making processes so that the interests and viewpoints of children may be expressed, considered, and respected by government when it plans and implements services that impact on children; and*
- *Advocate for the improvement of the quality of services being provided by one or more government child-serving systems.*

In the 2005 Annual Report, the CAO reported on active and closed recommendations in a report card format. The purpose of the Recommendations Report was to provide public accountability and awareness of the progress that government has made to implement recommendations that result in positive systemic impacts for Saskatchewan children and youth, and to report on outstanding recommendations. During 2006, the Children's Advocate forwarded another 46 recommendations to government, resulting in 61 recommendations to be reported on. The work and progress on these recommendations by government and by the CAO has been extensive and, as a result, the CAO will publish a special Recommendation Progress Report to be released in the fall of 2007.

Case Study - Investigations

Special Investigation Summary Report

The Oyate ataya WaKanyeja OwicaKiyapi Inc., (Oyate) Safe House

On March 1, 2006, the CAO received a request to investigate the operations of the Oyate Safe House in Regina, including the associated responsibilities of the Department of Community Resources (DCR) regarding the safety and well-being of children residing at Oyate.

The Oyate Safe House, which opened on March 26, 2003, continued to function until operations were voluntarily suspended on April 13, 2006 pending the outcome of the investigations of the Provincial Auditor of Saskatchewan and the CAO.

Oyate, established by the First Nations of Touchwood Agency and the File Hills Qu'Appelle Tribal Council, is a voluntary residential facility for children 12 to 15 years of age, who are victims of sexual exploitation on the street, or are at imminent risk of being sexually abused. The Department of Community Resources entered into a service agreement with the Oyate Board to operate the residence. The majority of the residents at Oyate were aboriginal and most were, at the time, or had been, in the care of DCR.

The CAO investigation process was operationally extensive and multi-faceted. The investigation made 16 findings including that: the Oyate Safe House did not provide adequate services; personnel were not capable of delivering services; the Safe House did not prohibit the sexual exploitation of children in its care; DCR did not investigate concerns of children who were alleged to be sexually exploited in new and active cases; and DCR discontinued case planning by closing files with full knowledge that children were still being sexually exploited.

Two final reports were produced by the CAO and publicly released on September 14, 2006. The Investigations Report on the Oyate Safe House detailed the program and delivery of services and made 21 recommendations; nine of the 21 are specific to the Oyate Safe House operations. The Systemic Issues Report, entitled "Beyond 'at

Risk' Children," resulting from the investigation, made 12 systemic recommendations to government and the Department of Community Resources concerning issues affecting the sexual exploitation of children.

Both reports identify and recommend that the paramount consideration in any decision concerning the future viability of the Oyate Safe House, or indeed any government service related to children and youth, must be a 'child first' focus with the best interests, safety and protection of the children and youth being the priority.

The reports identify the need for governments to make a paradigm shift to achieve a 'child first' focus by making the child's best interests and well-being a paramount consideration in any decision regarding the child. Additionally, the reports identify that the best interests of the child must take precedence over any jurisdictional or family-centred considerations if children are going to be supported and their interests and well-being met. While respect for the value of the family unit and sensitivity to cultural and spiritual traditions are important considerations in a decision as to where a child is to be placed, in the long term, children cannot continue to remain in, or be returned to, environments that have not demonstrated a permanent positive change and where the child continues to be a victim of neglect and abuse.

The "Beyond 'at Risk' Children," Systemic Issues Report, identifies that the problem of the sexual exploitation of children is far greater than the situation faced at Oyate. Sexual exploitation of children is a major systemic problem in this province. The 12 recommendations within the Report are crucial to the "bigger picture" surrounding this problem and identify the changes needed in policy, practice and legislation to improve the service delivery, protection and well-being of sexually exploited children in Saskatchewan. A failure to address these larger systemic recommendations will leave children at risk of physical, sexual, and emotional harm and exploitation, with severe injury and death being the potential eventual outcomes.

The Government and DCR responded to the Oyate Reports and recommendations and by the end of December 2006, the CAO received a progress report from DCR. The progress report outlines a framework for developing a new comprehensive program model that will incorporate the recommendations of the two CAO reports, with a proposed timeline of June 2007 for several recommendations to be implemented. The CAO continues to monitor and assess compliance with the recommendations from the Oyate Reports, including their implementation, and will assess the plan and its development, along with the new program model, when finalized by DCR.

The Oyate investigation, its outcomes and recommendations, laid the groundwork for the subsequent development of the CAO *'Children and Youth First'* Principles. These Principles, as outlined in the Children's Advocate Report, will be used by the CAO to engage and encourage governments, their departments and agencies to develop and implement this focus in all policy, practice, legislation and services concerning Saskatchewan children and youth.

Both CAO Oyate Reports are available on the CAO website: www.saskcao.ca

[15] Saskatchewan, The Ombudsman and Children's Advocate Act, R.S.S. 1978, as amended, Chapter 0-4, .12.6(2)(b).

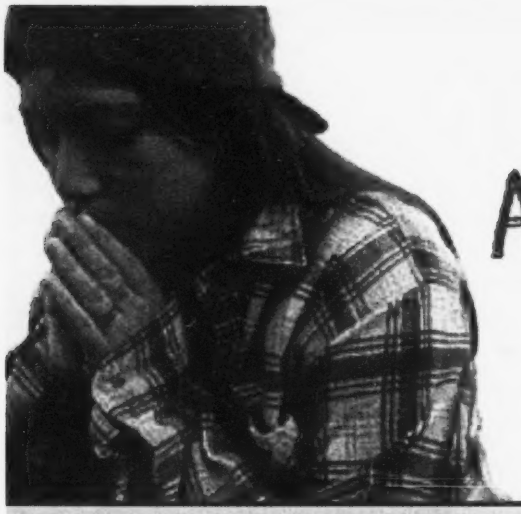
[16] Ibid., s.12.61

[17] Government of Newfoundland and Labrador, Turner Review and Investigation, September 2006.

[18] Hon. Hughes, Ted, B.C. Children and Youth Review: An Independent Review of B.C's Child Protection System, April 2006.

[19] Schibler, B., Hardy, M. and Hamilton, I. Strengthen the Commitment – An External Review of the Child Welfare System, September 2006.

[20] Stats Can website at www40.statcan.ca/101/cst01/health21a.htm.



Advocacy

Authority

The Ombudsman and Children's Advocate Act outlines the spectrum of services provided by the Children's Advocate Office (CAO). The authority to provide advocacy services to these children and young persons is provided by this Act. Advocating for children and youth takes place in the context of dealing with government departments and agencies to ensure that children are receiving the services to which they are entitled and that the services provided are grounded in a *'Children and Youth First'* philosophy. Further, the Act directs the Children's Advocate to try and resolve, in appropriate cases, any matter or conflict concerning a child or young person, or group of children or youth, and a government department or agency of Government, such as a First Nations Child and Family Services agency, using negotiation, conciliation, mediation or other non-adversarial approaches.[21]

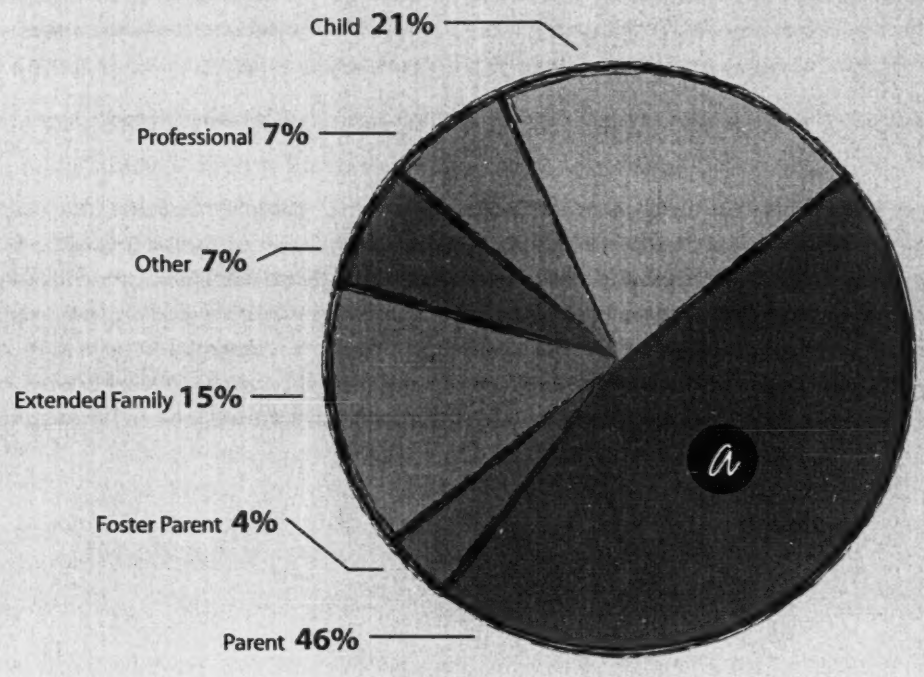
The Act also outlines who is intended to receive the services; namely, the children and youth of Saskatchewan up to the age of 18 or older, if they are receiving services pursuant to a section 56 agreement under the Child and Family Services Act or services pursuant to the Youth Criminal Justice Act.

Calls for Assistance

Calls received by the CAO are generated from a number of sources and situations. They can come directly from a child or youth or from someone calling on behalf of a child or youth. Calls are also received from an individual or agency requesting assistance in a particular circumstance that involves either a child or youth. Each caller requesting assistance and/or information is provided with a continuum of advocacy services – from providing self-advocacy strategies, and the provision of information – to a full investigation of their concern.

Who is Calling? (See pie chart A on following page)

In 2006, 46% of all calls into the CAO were from family members who called on behalf of, or regarding, a child, children or young person(s). Similarly, as in past years, children and young persons constituted the next largest contact group at 21%, followed by extended family at 15%, with various professionals, social workers, physicians, and other health professionals at 7% and other contacts at 7%. Also, as in past years, these percentages continue to be consistent within these groups.


Child 21%
Professional 7%
Other 7%
Extended Family 15%
Foster Parent 4%
Parent 46%
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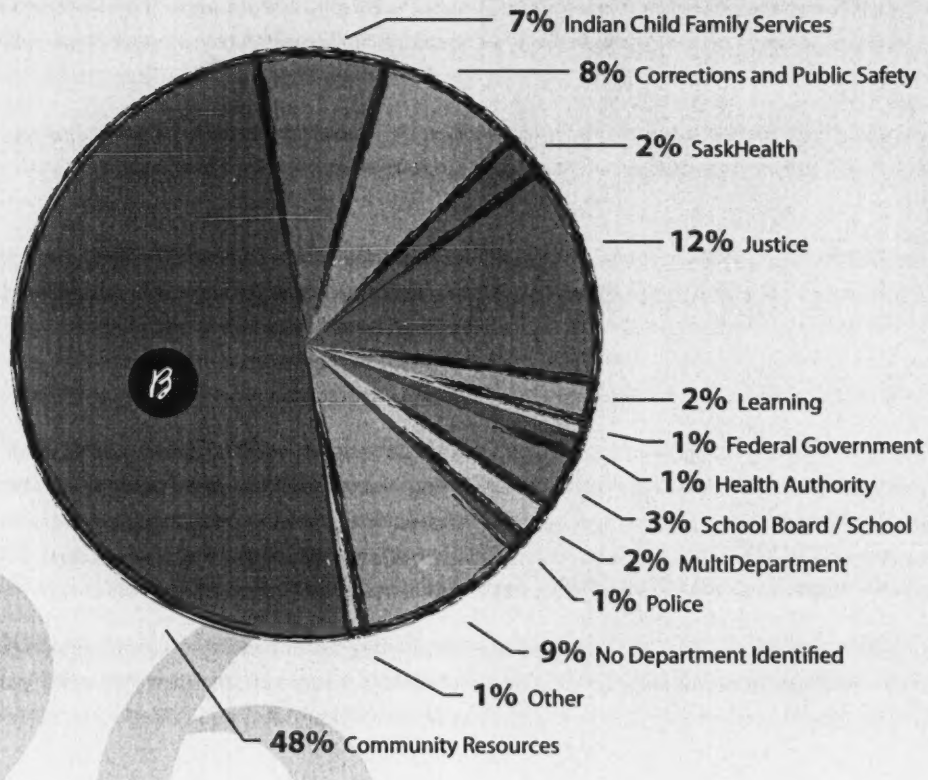
7% Indian Child Family Services
8% Corrections and Public Safety
2% SaskHealth
12% Justice
2% Learning
1% Federal Government
1% Health Authority
3% School Board / School
2% MultiDepartment
1% Police
9% No Department Identified
1% Other
48% Community Resources
b

Why are they Calling? (See pie chart B on previous page)

The majority of calls, 48% of all calls received by the CAO in 2006, focused on the services provided by the Department of Community Resources (DCR) to children and youth. In addition, another 7% of calls received were related to the services of First Nations Child and Family Services (FNCFS) agencies. In total, 55% of all calls that the CAO addressed during 2006 dealt with the provision of child welfare services within Saskatchewan.

The majority of calls, 48% of all calls received by the CAO in 2006, focused on the services provided by the Calls placed by both children and youth to the CAO, dealt with case management and case-planning situations/ concerns. These situations and concerns included: not being provided with the opportunity to participate in the planning process or the opportunity to hear why certain decisions are being made about their case plan; disagreement with being moved from their current residence to another residence, such as a foster home or back with family; concerns regarding lack of stability as they are being moved in and out of government care; concerns of being placed with extended family or another resource without their preferences and concerns being heard or valued; and, additionally, that their requests are overturned by the views of the parent(s), their Band, the First Nations Child and Family Services agency or the Department of Community Resources.

Calls regarding the services or programs of other departments and agencies such as Corrections and Public Safety, and Saskatchewan Health remained fairly consistent to previous years. However, compared to calls placed in 2005, there was a decrease of 3% in calls concerning Saskatchewan Learning and a 5% decrease in calls concerning Saskatchewan Justice which pertain to custody and access services. The CAO does not have jurisdiction to review private domestic conflicts involving children, and callers requesting assistance in resolving their custody and access issues are provided with self-advocacy strategies and/or referral information that may assist them in resolving these particular concerns.

Management of Calls

The CAO re-organization in December 2006, created an Intake position to streamline concerns brought to the Office. The Intake position receives all new concerns and offers a timely response to callers, especially children and young persons. This specialized position removed the intake responsibilities from both the advocates and investigators, allowing them increased time to assist in the resolution of complex concerns through direct advocacy, and the time necessary to complete investigations and publicly report on their findings. In addition, the Intake position assists the CAO in fulfilling its commitment to continuing performance improvement through data collection and analysis that supports CAO programs and services, and quality assurance initiatives.

Advocacy Themes and Issues

A number of similar advocacy themes/issues, as in previous years, continued to emerge in 2006. These themes or issues involved: case management deficiencies, particularly as they relate to youth participation; inadequate access to services, particularly for 16 and 17 year olds; insufficient attention to child-focused permanency planning; an over-emphasis on family-centred and other considerations that are given priority over the best interests of the child; frequent disruptions through multiple placements between foster homes, including multiple changes of schools and child protection workers; an overemphasis on family preservation and reunification at the expense of security, stability and attachment considerations; and an exposure of children in overcrowded foster homes and residential facilities to safety and protection concerns.

The consistency of these themes continues to cause concern. As such, the CAO recognized that there was a need for the Office to evaluate the direction and focus of service providers in relation to a much-needed *'Children and Youth First'* focus. These themes were given considerable consideration by the Office when determining the development and scope of the *'Children and Youth First'* Principles. In 2006, the following issues continued to be identified within a significant number[22] of the cases managed by the CAO advocates, requiring their assistance and/or intervention:

- *Children and youth in care of child welfare have had their interests ignored or minimized in the development of case plans. The focus instead has been directed towards reintegration or reunification with family, which in many cases placed their safety, stability and interests secondary to other interests.*
- *Children and youth have been left in the family home in high-risk situations for unacceptably long periods of time, where they remained in possible risk situations of abuse or neglect, in an attempt to maintain the family unit. In addition, the lack of availability of child care resources is seen as creating situations where children remain at risk in the family home due to the fact that no placement was made available to them.*
- *Conversely, children and youth still experienced placements in overcrowded foster homes and other inadequate residential settings, which exposed them to several risk factors, such as safety, neglect, supervision and stability. Some foster homes were cited as having up to 17 children, or more, residing in one home.*
- *Children and youth have been subjected to multiple changes in child welfare placements, as they are moved from one resource to the other, adding to their instability and lack of security and capacity to form meaningful attachments with caregivers. This often results in a lack of permanent case-planning for children and youth, who have extended involvement with the child welfare system.*
- *Children and youth continued to reside in group homes, stabilization and treatment centers for extended periods (far beyond the intent and service mandate of the program), due to the lack of residential placements, undermining their entitlement to permanency.*
- *Children and youth have been discouraged or prevented from accessing the services of the CAO by a variety of service providers.*
- *Children and youth have been denied access to alternative medications prescribed by licensed physicians due to budgetary decisions.*
- *Child welfare practice concerns have occurred, specifically in regard to non-compliance with best practice standards, as outlined in policy regarding appropriate assessment and intervention measures.*

The CAO also received requests for assistance that involved matters beyond the jurisdiction of the Office. These calls related to the areas of: court orders respecting apprehensions, custody and access; school boards; and decisions that are within the jurisdiction of the federal government, such as First Nations health and matters of immigration. Callers with these concerns were provided with information and advocacy strategies to assist them in having their concerns addressed and hopefully resolved. Callers were also provided with referral and contact information that included other public service agencies, statutory appeals, mediation, and support groups, depending on the nature of the concern.

As in past years, individual advocacy often identifies larger policy or systems issues. Where unresolved policy, practice or legislative concerns remain after advocacy services have been provided, these issues are referred

for systemic advocacy or investigation. Concerns such as overcrowding of foster homes, payment for drug plan medication, unreasonable delays in medical treatments, and lack of standards for residential service homes are examples of issues that are identified for investigation or a systemic advocacy process.

2006 Case Study Examples

Case Study: Individual Advocacy
Service Providers: Department of Community Resources and Saskatchewan Health
Case Issue: Payment for the cost of prescription drugs for children in care.

Issue: The costs and coverage of the medication for the child became a contentious issue between DCR and the Saskatchewan Drug Plan. DCR felt that the Saskatchewan Drug Plan should be responsible for the cost; however, as the prescribed drug was not on the Saskatchewan Formulary or Exceptional Drug Status list, the Drug Plan believed it was not responsible for the covering the costs.

Background: A grandmother entered into a court-ordered agreement with the Department of Community Resources (DCR) to raise three of her grandchildren, who would otherwise have been placed into foster care. The court order authorizing her to be the care provider, also included a condition that DCR would be responsible for any reasonable costs that may be incurred in obtaining necessary medication for the children where they are not otherwise paid for. DCR refused to pay for the medication for one of the grandchildren.

CAO Action: The CAO was contacted by the grandmother, on behalf of her grandchild, to help with the situation for her grandchild. The CAO contacted DCR to try and resolve the issue of drug coverage for the child. Based on the court order, the CAO advocated to DCR that it had a legal obligation to pay for reasonable costs. Representations were made to the DCR case worker, the regional manager, and the acting Director of Children's Services. Finally, the DCR legal counsel was contacted by the CAO before the issue became resolved.

Outcome: DCR agreed to pay for the child's medication only on an interim basis. However, the issue of which government department – DCR or Health – will pay for the medication in the long– term has yet to be resolved. The CAO continues to work with the physicians, staff from the Drug Plan and DCR to endeavour to find a way to address the concern.

Case Study: Individual Advocacy
Service Provider: Department of Community Resources
Case Issue: Placement and Case Management- Youth Voice

Issue: A youth contacted the CAO after being advised by the Department of Community Resources (DCR) that she would be returned to her parents' care following an apprehension due to the young person's addictions with no plan, support or positive changes in place that would meet her needs. The youth did not want to return home as she was concerned about returning to her former drug use and about her safety in her home community.

Background: The youth came into care following significant drug use. DCR apprehended her due to her parents' inability to continue to care for her, and fears for her safety in a small community. A few weeks later, DCR made the decision to return the youth to her parents, even though no services, planning or intervention had occurred in the intervening period to address her issues.

CAO Action: A CAO advocate met with DCR workers and negotiated for the youth to remain in care until such time as services could be put in place to address her concerns.

Outcome: The youth remained in care until DCR had plans in place for both treatment and family support.

Case Study: Individual Advocacy
Service Provider: Saskatchewan Health
Case Issue: Support Services for Medically Fragile Child

Issue: The CAO was contacted regarding a reduction in the level of support received through the individualized funding program at a provincial health region.

Background: The family had been receiving the maximum amount of support and this was reduced significantly from 140 unit hours to 32 unit hours per month. This placed a great deal of strain and hardship on the family's ability to care for the child at home. The child was extremely medically fragile with high medical needs. These needs could not be adequately met in hospital and it was in the child's best interests to reside at home with an appropriate level of care.

CAO Action: A number of meetings were held with the health region and Saskatchewan Health in an attempt to resolve the issue through restoring the former level of support. Ultimately, the Children's Advocate and the Director of Advocacy Services were involved in meetings with the Associate Deputy Minister of Health to encourage an appropriate and timely resolution to the issue.

Outcome: Saskatchewan Health facilitated an independent assessment of the child's needs by another health region and, based on their assessment, the recommended level of support of 80 unit hours per month was determined. The recommendation was accepted and the level of support was increased.

First Nations Child and Family Services (FNCFS) Agencies

In Saskatchewan, there are 18 First Nations Child and Family Services agencies delegated by the Minister of the Department of Community Resources (DCR), to provide services to on-reserve children. This is in addition to the services provided by DCR, and those provided by other agencies, under *The Child and Family Services Act*.

The following chart illustrates the number of Saskatchewan children and youth in the care of provincial services and First Nations agencies over the last five years.

	2002	2003	2004	2005	2006
Children in care of provincial services	2939	2947	2798	2907	3053
Children in care of First Nations agencies	1042	1082	1133	1099	1123
Total children in care	3981	4029	3931	4006	4176

Source for children in care of provincial services: Saskatchewan Department of Community Resources and Employment, September 2006. Source for children in care of First Nations agencies: Mr. Ken McInnis, Manager, Social Development, Saskatchewan Region, Indian and Northern Affairs Canada, Regina, Saskatchewan, January 2007.

The CAO continues to see an ongoing and urgent need to ensure that each child in the care of the Minister of Community Resources is afforded a care plan that provides them with a safe and stable life. To accomplish this objective, options may need to be expanded to provide permanency for these children. Once again, the need for service providers to embrace and participate in a *'Children and Youth First'* philosophy when providing services to First Nations children is critical. The CAO recognizes that all children need to be afforded: preventative services, equally funded both on and off reserve; a structured kinship care system that is regularly reviewed and held accountable; and culturally appropriate dispute resolution mechanisms. Also, a framework is required for custom adoption, open adoption, and assisted adoption. These options are intended to enhance the permanency to which First Nations children are entitled. Issues such as permanency planning have been identified for systemic advocacy.

Systemic Advocacy

Systemic advocacy is at the central core of the work at the Children's Advocate Office with our continuum of advocacy and investigation services contributing to system improvements.

The CAO advocates for change to practice, policy and legislation that impacts on the interests and well-being of Saskatchewan children and youth. *The Ombudsman and Children's Advocate Act* (s. 30.1) provides the authority for the Children's Advocate to review issues from a systemic perspective. The objectives for systemic advocacy are to:

- *Identify, research and report on relevant and important issues that will advance the interests and well-being of children and youth in Saskatchewan;*
- *Develop and provide recommendations to provincial government departments and agencies which, when implemented, will result in system change and advance the interests and well-being of children and youth in Saskatchewan; and*
- *Provide children and youth with opportunities for input into the identification and advancement of issues that affect them.*

2006 Systemic Issues

There were four areas that received systemic advocacy in 2006: access to justice in child welfare proceedings; youth detoxification and stabilization; an action plan for children; and a plan for children's mental health.

Access to Justice

In 2006, the CAO identified concerns regarding the treatment of children under *The Child and Family Services Act*. These concerns are specifically related to a child or youth's access to justice in child welfare proceedings.

The law governing decisions made concerning the safety and well-being of children in need of protection in Saskatchewan is *The Child and Family Services Act*[23] (CFSA). The CFSA provides the provincial government with the authority to protect children, and look after their best interests. As well, it governs every aspect of child welfare proceedings and presumes that a child will not be a party to the process, even though significant decisions are being made about them.

Over the past year, the issue of access to justice for children and young persons in child welfare proceedings became a concern. This prompted the CAO to take the position that children's rights and best interests are not being given due consideration in child welfare proceedings.

Currently, children and youth who find themselves in child welfare proceedings may not have an opportunity to have their voices heard, or have party status. The only occasion where a child or young person would have their interests represented is if a Justice of the Court of Queen's Bench called upon his/her inherent jurisdiction and appointed legal counsel, or made the child a party under the rules of *The Queen's Bench Act*. There is no ability for a provincial court judge to do so if a case is before the Provincial Court. Access to justice for children in Saskatchewan is currently constrained by an inconsistent, two-tiered system, which is arguably unfair to children and young persons.

In 2006, the CAO shared its views and concerns regarding access to justice with governments and stakeholders. The issue was raised with the Ministers and senior staff of both the Departments of Justice and Community Resources. It was also raised with the Canadian Bar Association of Saskatchewan (CBA), and the CBA executive council.

In September 2006, the CAO provided a written submission to the Committee on the Rights of the Child, for the Day of General Discussion in Geneva, Switzerland, outlining concerns regarding limitations of the Saskatchewan legislation. This submission was also shared with the Premier of Saskatchewan, and the provincial Ministers of Justice and Community Resources. The United Nations *Convention on the Rights of the Child*, Article 12, which Canada and Saskatchewan have ratified, requires that State Parties build into their domestic legislation the right for children to participate in any administrative or judicial decision being made about their lives. Nonetheless, under *The Child and Family Services Act*, a child's right to participate is limited to inclusion at the discretion of the Court, and is not a presumptive right.

Ultimately, access to justice ought to allow for legal representation of a child or young person before the Courts, in appropriate cases. This important issue was considered by the CAO when developing the *'Children and Youth First'* Principles, and will be advanced on behalf of children and youth in receipt of government services in the coming year.

Responses to the recommendations made to the Ministers of Justice and Community Resources will be reported in the CAO Recommendation Progress Report, to be released in the fall of 2007.

The Youth Drug Detoxification and Stabilization Act

On April 1, 2006, *The Youth Drug Detoxification and Stabilization Act (YDDSA)* became enforceable law. This Act had been promoted as an Act to be used only as a last resort to "force" addicted youth into a treatment program.

"This Act [The Youth Drug Detoxification and Stabilization Act] supports our government's commitment to ensure an accessible, flexible and effective treatment approach for youth with substance abuse issues . . ."[24]

Upon review, the CAO found that the Act did not contain a reference to treatment, a link to treatment, or a process or protocol whereby a child or young person could access treatment directly through the Act. The CAO expressed its concern to the provincial department of Healthy Living Services, that the Act violated the rights of youth to fair treatment which is recognized in the United Nations *Convention on the Rights of the Child*. Several

Articles in the UN *CRC* require that children have a right to safeguards when they are detained or held by state authorities. These fundamental rights include the right to:

- *Receive the least intrusive intervention, appropriate to the circumstances;*
- *Be notified of the reasons for the detention;*
- *Be notified of the "case" against them;*
- *Be provided with prompt access to legal counsel;*
- *Be notified of their rights;*
- *Be heard in all judicial and administrative decisions made about them;*
- *Challenge the legality of the detention before a court or other competent, independent and impartial authority, and be given a prompt decision on any such action;*
- *Be provided with access to an effective complaints procedure;*
- *Be protected from arbitrary or unlawful interference or loss of liberty;*
- *Be protected from attacks on honour and reputation;*
- *Be treated with humanity and respect for their inherent dignity; and*
- *Receive treatment that takes into account the needs of persons of the same age.*[25]

The CAO found that the balance of protecting a child and the child's right to fair treatment was not achieved in the YDDSA and advised government that the legislation, as presently worded, was a violation of the rights of children.

On April 25, 2006, the CAO tabled a Special Report that advised the Legislature of its concerns related to the *YDDSA* and its impact on the rights, freedoms and lives of Saskatchewan's children and youth. This Special Report set out 12 recommendations to the government requesting immediate amendments to *The Youth Drug Detoxification and Stabilization Act*. The CAO also engaged in public education respecting the interests and well-being of children by releasing a *CAO Perspectives* on the issue in October 2006.

The full report and specific recommendations, as well as the October issue of *CAO Perspectives*, can be found by following the links at www.saskcao.ca.

Also in October 2006, the Children's Advocate participated in an in-studio information and consultation session with respect to the *YDDSA*, where updates and statistical information were provided concerning the impacts of this new legislation. As well, consultation occurred with respect to the need to improve targeted areas of the legislation.

Subsequently, a Bill was introduced into the Legislative Assembly (Bill 6) containing proposed amendments to the *YDDSA*, some of which responded to the concerns the CAO had raised, particularly in the area of developing a treatment plan for the young person during the period of involuntary detention. However the amendments to Bill 6 did not take into account other concerns raised which included: the lack of a Statement of Purpose

provision that speaks to involuntary detention as the option of last resort; the lack of safeguards with regard to young persons who are subject to the *YDDSA* being automatically informed of their right to access legal counsel, an official representative, and the Children's Advocate, without first having to request such information; the lack of procedural fairness, with the onus of proof being reversed and placed on the young person to request a post-detention hearing; and the lack of protection and provision for young persons to be given the explicit right to participate in any process or procedure, which may result in decisions that impact upon them under the *YDDSA*.

In early December 2006, the CAO once again asked the government to take the recommendations it had made into consideration before it passed Bill 6. As of December 31, 2006, the government had noted the additional concerns of the CAO and had referred the Bill to the Legislative Assembly's Human Services Committee for additional review.

A more detailed examination of the Department of Healthy Living's response to the CAO Recommendations will be found in the CAO Progress Report, to be released in the fall of 2007.

Government's Response to the First Nations and Métis Peoples Justice Reform Commission - Action Plan for Children

In 2004, the First Nations and Métis People and Justice Reform Commission tabled its final report, *Legacy of Hope: An Agenda for Change*. In 2006, the CAO reflected on some of the advice of the Commission regarding the need to apply a *'Children and Youth First'* lens, before applying a 'cultural' lens. The exact quotation can be found in the Children's Advocate Report section, which opens this Annual Report.

In the 2005 Annual Report, the CAO reiterated The Justice Reform Commission's Recommendation 8.10 for 'long-term Saskatchewan First Nations and Métis children and youth action plans, plans that would commit the province to a strategy for our vulnerable children and youth. While the Recommendation has been accepted in principle, as yet, no plan has been determined.

In 1993, Saskatchewan had developed an Action Plan for Children that defined the desired state for children. In 2004, the government agreed in principle to an action plan; however, in 2006, a strategy for Saskatchewan children and youth had still not been advanced. As part of the CAO commitment to a *'Children and Youth First'* focus, efforts will continue to encourage governments to commit to a new plan that will enable children and youth to "grow in environments that support their well-being and enable them to reach their potential." (Saskatchewan Government, 1993) This philosophy has been integrated into the CAO *'Children and Youth First'* Principles.

A Plan for Children's Mental Health

In 2004, the CAO produced and released *It's Time for a Plan for Children's Mental Health*. The report made specific recommendations to address mental health services and programs for children and youth in Saskatchewan. One recommendation was made to Saskatchewan Health which called for the development and implementation of a comprehensive Children's Mental Health Plan. This recommendation stated:

> *That Saskatchewan Health, in consultation with stakeholders, develop and implement a comprehensive plan to ensure that mental health services are provided to Saskatchewan children, youth and families in a manner that is consistent with what is known about best practices.*

On April 27, 2006, Saskatchewan Health announced that it had developed a plan in response to the concerns raised in the Children's Advocate 2004 Report. The plan outlined several enhancements for children and youth mental health services, and $1 million in funding was allocated for the 2006 budget year, with annualized funding of $2 million each future year. The plan, however, did not address the critical need identified in the CAO report – for a Children's Psychiatric facility for the province – or at a minimum, sufficient in-patient resources for children. In a previous recommendation based on a Child Death Review, the CAO called specifically for such a facility, as serious problems occur when adult facilities are used, even temporarily, to deliver children's services.

There is a significant need and requirement for a continuum of mental health services for Saskatchewan children and youth. This continuum should include coordinated case management, which integrates mental health with primary health services, and involves children and their families in a meaningful way in the planning and implementation of any program affecting them. The CAO is hopeful that Saskatchewan Health will move forward quickly with the implementation of its plan for these vital services and will continue to monitor the plan and its progress. Consideration that all children and youth in Saskatchewan are entitled to the highest standard of health care is articulated in Principle 5 of the CAO *'Children and Youth First'* principles.

[21] Saskatchewan, *The Ombudsman and Children's Advocate Act*, s. 12.6(2)(c).

[22] This list of themes and issues ought not to detract from the fact that there are many instances of effective service delivery and positive child welfare outcomes achieved for children and youth.

[23] Saskatchewan, *The Child and Family Services Act*, S.S. 1989-90, Chapter C-7.2 .

[24] Legislative Assembly of Saskatchewan. (2005, November 23). Debates and Proceedings. Saskatchewan Hansard, Vol 11A. p. 383. Regina, SK. Author

[25] Ibid.

Administration

The annual operations budget for the Children's Advocate Office is developed to support the Office's mandate, programs and services, and strategic plan. The CAO expenditure estimates are prepared based on expenditure guidelines provided from the Legislative Assembly Office, which are consistent with directives provided by the Department of Finance to Executive Government departments.

The annual budget proposal is prepared by the Children's Advocate and presented to the provincial Board of Internal Economy. Budget allocations and approvals are subsequently determined by the Board.

Budgetary Expenditures	2004-05	2005-06	2006-07
Personal Services	$741,000	$763,000	$832,000
Contractual Services	$144,000	$146,000	$154,000
Advertising, Printing & Publishing	$30,000	$31,000	$32,000
Travel & Business	$95,000	$90,000	$88,000
Supplies & Services	$7,000	$7,000	$7,000
Capital Assets	$5,000	$12,000	$12,000
Transfers & Other Expenses	–	–	–
Debt, Loans & Fund Specific Codes	–	–	–
One-time Funding	–	$28,000	$16,000
Budgetary Total	**$1,022,000**	**$1,077,000**	**$1,141,000**
Statutory Expenditures			
Personal Services	$128,000	$129,000	$154,000
Statutory Total	**$128,000**	**$129,000**	**$154,000**
TOTAL Budgetary & Statutory	**$1,150,000**	**$1,206,000**	**$1,295,000**

committee and Staff

Advisory Committee

The Children's Advocate Office thanks the following members of the Multi Disciplinary Review Team for their professional contributions and assistance to case reviews over the past year: **Dr. Patricia Blakely**, *Pediatrician, Kinsmen Children's Centre, FASD specialist,* **Dr. Gordon Kasian**, *Pediatrician, Royal University Hospital,* **Dr. Shaun Lanham**, *Pathologist,* **Mr. Kent Stewart**, *Chief Coroner, Saskatchewan,* **Mr. Ron Pollock**, *Director of the Saskatoon Tribal Council, First Nations Child and Family Services Agency,* **Ms. Darlene Domshy**, *Director of Youth in Care Custody Network,* **Mr. Murray Langgard**, *National Parole Board and retired Chief of Police, Regina*
(Former Members) **The Honourable Judge D. J. Bird**, *Former Crown Prosecutor (SaskJustice), and former RCMP member,* **Mr. Bob Green**, *Retired educator,* **Ms. Nancy Musacappo**, *Retired social worker, First Nations representative*

Staff

Back Row (l to r): Elaine Thomas, *Advocate,* **Bernie Rodier**, *Director of Administration,* **Rhonda Johannson**, *Advocate,* **Penny Fairburn**, *Administrative Assistant,* **Shaun Soonias**, *Advocate,* **John Brand**, *Director of Advocacy Services,* **Vanesa Vanstone**, *Investigator,* **Sandi Elliot**, *Administrative Assistant,* **Roxane Schury**, *Investigator,* **Gordon Mayer**, *General Counsel, Provincial Ombudsman, (also provides General Counsel services to the CAO),* **Betty Anne Stevenson**, *Director of Communications,* **Christy Bell**, *Intake Advocate,* **Caroline Sookocheff**, *Executive Administrative Assistant* - **Front Row (l to r): Chandra Funk**, *Student,* **Marvin Bernstein**, *Children's Advocate,* **Glenda Cooney**, *Deputy Children's Advocate,* **Marcel St. Onge**, *Investigator*

Highlights

Throughout 2006, the Children's Advocate Office participated in various public education opportunities and events to promote and increase public awareness of the CAO, its operations, programs and services. Some of these occasions included:

Northern Outreach Program

During 2006, Children's Advocate, Marv Bernstein joined Provincial Ombudsman, Kevin Fenwick and Saskatchewan Human Rights Commissionaire, Donna Scott for a series of meetings to bring enhanced services of these respective offices to the North. Outreach Information sessions about operations, programs and services were held at several locations, including Buffalo Narrows, La Ronge and Stony Rapids.

CAO, Ombudsman and Human Rights Commission staff met with agencies and services officials in Buffalo Narrows, December 2006. These meetings were part of the 2006 Northern Exchange Program. Pictured (l to r): Karen Topolinski, Saskatchewan Human Rights Commission; Estelle Laliberte, Executive Director, Saskatchewan Indian and Métis Friendship Centre; Leila Dueck, Ombudsman's Office; Kevin Fenwick, Provincial Ombudsman; Elaine Thomas, CAO Advocate; Marv Bernstein, Children's Advocate.

Saskatchewan Centennial

Children's Advocate, Marv Bernstein received the Saskatchewan Centennial medal from Speaker of the House, the Honourable Myron Kowalsky.

Grand Opening of Onion lake Children's Group Home

CAO Advocates participated with guests attending the Grand Opening of the Onion Lake Children's Group Home, September 6, 2006.

Law Day

Marv Bernstein joined members of the Canadian Bar Association, Saskatoon Chapter, to celebrate Saskatchewan Law Day. Marv was the keynote speaker and spoke about the importance of overcoming the barriers that impede access to justice for children and youth (l to r); Michelle Ouellette, Marv Bernstein, Lynn Smith, Q.C and Inez Cardinal, Q.C.

SASKATCHEWAN

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